

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM T. WULIGER, Receiver,

Plaintiff,

Case No. 3:05 CV 108

-VS-

O R D E R

OFFICE OF THE COMPTROLLER
OF THE CURRENCY, et al.,

Defendant.

KATZ, J.

This matter is before the Court on Plaintiff's motion for clarification, Defendants' opposition and Plaintiff's reply thereto. Distilled to its essence, the Receiver's motion requests guidance on whether the Receiver is prohibited from obtaining SARs-related documents as well as the SAR itself. In granting the Bank's motions for summary judgment, the Court recognized that the SARs-related documents, i.e., those documents which could reveal that a SAR was suspected or reported, fall in the same arena as the SAR itself. *See Whitney National Bank v. Karam*, 306 F.Supp.2d 678, 682-683 (S.D. Texas 2004).

However, for purposes of clarity, the Court grants Plaintiff's motion for clarification (Doc. No. 49) and finds that the Receiver is also prohibited from obtaining SARs-related documents consistent with the regulations, commentary and case law stated in the Amended Memorandum Opinion.

IT IS SO ORDERED.

S/ David A. Katz
DAVID A. KATZ
SENIOR U. S. DISTRICT JUDGE